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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



File the Application of: Nobuhiko HAYASHI et al.

Serial No.: 09/898,043

Filed: July 5, 2001

Group Art Unit: 2826

Examiner: J. Mondt

P.T.O. Confirmation No.: 2566

For: **NITRIDE BASED SEMICONDUCTOR LIGHT EMITTING DEVICE AND NITRIDE BASED SEMICONDUCTOR LASER DEVICE**

**AMENDMENT UNDER 37 C.F.R. §1.111**

Commissioner for Patents  
Washington, D.C. 20231

April 22, 2003

Sir:

In response to the Office Action dated October 22, 2002, the response due date having been extended to April 22, 2003 by a three-month extension of time, please amend the above-identified application as follows:

**IN THE CLAIMS:**

**Please cancel claims 1-24 without prejudice or disclaimer.**

**Please amend claims 25 and 29 as follows:**

25. (Amended) A nitride based semiconductor laser device comprising:

a light emitting layer composed of a Group III nitride based semiconductor and including an active layer; and

a cladding layer of a first conduction type composed of a Group III nitride based semiconductor, formed on said light emitting layer, having a larger band gap than said active layer, and having a lower refractive index than the active layer,